

**STATE ELECTION COMMISSION, HARYANA**  
**S.C.O. NO.16-17, SECTOR-20 D, CHANDIGARH.**

**NO.SEC/ME/96/16149**

**Dated : 14.11.1996**

**ORDER**

**Subject:- Panchayat/Municipal General Elections/Bye-Elections-restriction on misuse of vehicles.**

In the interest of preserving the purity of elections process and rendering the same reflective of true choice of the people the Commission has issued instructions and directions on various aspects. The Commission has particularly been concerned about the increasingly vitiating roll of criminality and muscle powers at elections and has been directing the taking of a number of measures for ensuring peaceful, free and fair poll.

One of the ways in which the voter is sought to be wooed is by offering him "facility of free transport" on the day of poll.

The State Election Commission further observes that during the period of electioneering private vehicles are used by the candidates, their agents and supporters for carting the supporters of a candidate within the wards and on many occasions anti social elements with muscle power are openly paraded to instil a sense of fear in the minds of the voters, so that they either vote in favour of particular candidate or abstain from voting altogether. These vehicles are also used some times to smuggle arms and ammunitions with a view to creating disturbances during the elections.

In order to curb such undesirable and illegal activities the State Election Commission in exercise of the powers vested in it under Article 243-K and 243-ZA of the Constitution of India read with Section 9 of the Haryana Municipal Corporation Act 1994, Section 3A of the Haryana Municipal Act, 1973 and Section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling it in this behalf hereby impose restriction to hire or procure whether on payment or otherwise only 2 vehicles or vessels for use by a contesting candidate himself or his agents or his supporters on the day of poll during the Panchayat/Municipal Elections/Bye-Elections.

The State Election Commission has further directs that the express "Vehicle" means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise, and whether used for drawing other vehicle or otherwise.

The State Election Commission further directs that the contesting candidates should be issued permit as per proforma prescribed by the Commission appended herewith. The permit should be issued to the contesting candidates atleast 2 days before the day of poll.

The State Election Commission further directs that the District Administration shall keep a close watch on the vehicles used by persons accompanying the contesting candidates and their supporters for any possible mischief, including criminal activities like carrying of illegal arms and weapons. If any of these vehicles, either of a candidate or a private owner, is found to be involved in any such act or for carting anti-social elements with a view to intimidating or creating terror in the minds of the voters, it should be the duty of the local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, accordingly action against the owner, the occupant/occupants and the candidate which is involved in such illegal activities shall also be taken as per law.

So as to ensure free, fair and peaceful elections, the District Administration shall launch such drive for checking the vehicles immediately upon the announcement of the elections and shall continue the drive till the completion of the process of elections.

A copy of this order shall be made available to the local units of all recognized National/State Political Parties in the State of Haryana immediately and to each candidate, or an agent authorised by him, at the time of his nomination (repeat nomination and not scrutiny of nomination) under acknowledgement.

Sd/-

(J.K.Duggal)

State Election Commissioner,  
Haryana.

Dated, Chandigarh  
the 13<sup>th</sup> November, 1996

Copy to :-

1. The Chief Secretary to Government, Haryana.
2. All the Deputy Commissioners-cum-District Election Officers (Panchayat & Municipality) in the Haryana State.